

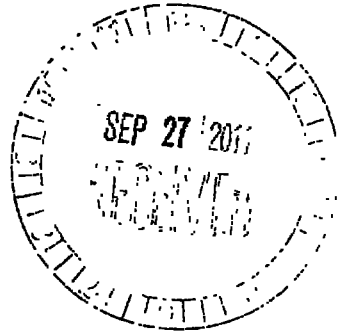


www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca



September 23, 2011

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW,
Washington, DC 20424

230898

Re: Environmental Report, Historic Report and Required Certifications for
Docket No. AB-303 (Sub No. 38X)
Wisconsin Central, Ltd. — Notice of Exemption for Abandonment in Fond du Lac,
Wisconsin

Dear Ms. Brown:

Wisconsin Central, Ltd. ("WCL") intends to file a Notice of Exemption for the above-referenced proposed abandonment any time on or after October 24, 2011. Enclosed for the above-referenced Abandonment Exemption are the following documents, which are required by 49 C.F.R. Part 1105:

1. An original and ten copies of the Environmental/Historic Report;
2. An original and ten copies of the transmittal letter that accompanied the reports; and
3. An original and ten copies of a certificate demonstrating compliance with the requirements of 49 C.F.R. Part 1105.

Please feel free to call me if you have any questions.

Respectfully submitted,

Thomas J. Healey
Attorney for Wisconsin Central, Ltd.

Encls.

SEP 27 2011
11:12 AM

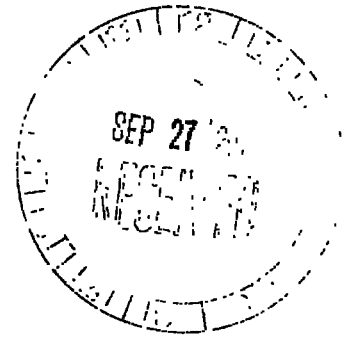


WWW.CN.CA

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca



September 23, 2011

Re: Wisconsin Central, Ltd. Notice of Exemption for Abandonment – Fond du Lac, Wisconsin - Docket AB-303 (Sub-No. 38X)

To Whom It May Concern:

Any time on or after October 24, 2011, Wisconsin Central, Ltd. ("WCL") expects to file with the Surface Transportation Board ("STB") a Notice of Exemption seeking authority to abandon a railroad line located between milepost 175.40 and milepost 176.00, a distance of 0.60 miles, in Fond du Lac, Fond du Lac County, Wisconsin. Enclosed is an Environmental Report and a Historic Report describing the proposed action and any expected environmental and historical effects, as well as a map of the affected area.

We are providing this report so that you may review the information that will form the basis for the STB's independent environmental and historical analysis of this proceeding. If any of the information is misleading or incorrect, if you believe that pertinent information is missing, or if you have any questions about the STB's environmental and historic review process, please contact their Section of Environmental Analysis (SEA), at the Surface Transportation Board, 395 E Street, SW, Washington, D.C. 20423-0001, (202) 245-0245, and refer to the above docket number.

WCL will file the Environmental Report and Historic Report with the STB on or about September 23, 2011. Because the applicable statutes and regulations impose stringent deadlines for processing this action, your written comments to the STB (with a copy to the undersigned) would be appreciated within three weeks. Your comments will be considered by the STB in evaluating the environmental and historical impact of the contemplated action.

If there are any questions concerning this proposal, please contact the undersigned directly at (708) 332-4381 or by mail at the above address.

Sincerely,

Thomas J. Healey
Attorney for Wisconsin Central, Ltd.

Encls.

Docket No. AB-303 (Sub-No. 38X)

WISCONSIN CENTRAL, LTD

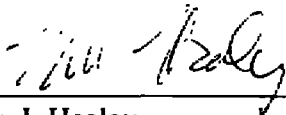
NOTICE OF EXEMPTION FOR
ABANDONMENT IN FOND DU LAC,
FOND DU LAC COUNTY, WISCONSIN

To: Chief, Section of Administration
Surface Transportation Board (STB)
395 E. Street, SW
Washington, DC 20424

CERTIFICATE OF COMPLIANCE WITH 49 C.F.R. PART 1105

I hereby certify that on September 23, 2011, copies of the Environmental Report and Historic Report for the above-captioned proceeding were served on the agencies listed at 49 C.F.R. § 1105.7(b), all agencies consulted in preparing the reports, and on the Wisconsin Historical Society. A service list is attached and incorporated into this certificate as Attachment A. The reports have been sent within the time period specified, as Wisconsin Central, Ltd. intends to file its Notice of Exemption in the above-captioned matter no earlier than October 24, 2011. All appropriate agencies as listed in 49 C.F.R. § 1105.7(e) have been consulted well in advance of preparing the Environmental Report.

Dated this 23rd day of September, 2011.



Thomas J. Healey
Attorney for Wisconsin Central, Ltd.

**Ms. LaDawn Whitehead
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604**

**Wisconsin Coastal Management Program
101 East Wilson Street
Post Office Box 8944
Madison, WI 53708-8944**

**Mr. Rick Gudex, Council President
City Council Offices
160 S. Macy Street
Fond du Lac, WI 54935**

**U.S. Environmental Protection Agency
Office of Water
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460**

**U.S. Fish and Wildlife Service
2661 Scott Tower Drive
New Franken, WI 54229**

**U.S. Army Corp of Engineers
St. Paul District
180 5th St. East, Suite 700
St. Paul, MN 55101-1678**

**Michael Reynolds, Regional Director
National Park Service-Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226**

**Mr. Cory Drummond, District Conservationist
Natural Resources Conservation Service
W6529 Forest Avenue
Fond du Lac, WI 54937-9389**

**Wisconsin DNR Central Office
101 S. Webster Street
PO Box 7921
Madison, WI 53707-7921**

**Wisconsin Department of Transportation
Hill Farms State Transportation Building
4802 Sheboygan Avenue
PO Box 7910
Madison, WI 53707-7910**

**Mr. Wayne Rollins, AICP
City of Fond du Lac
160 S. Macy Street
PO Box 150
Fond du Lac, WI 54936-0150**

**Wisconsin Historical Society
Office of Preservation Planning
816 State Street
Madison, WI 53706**

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-303 (SUB-NO. 38X)

WISCONSIN CENTRAL, LTD.
-- ABANDONMENT EXEMPTION --
IN FOND DU LAC, WISCONSIN

ENVIRONMENTAL/HISTORIC REPORT

Wisconsin Central, Ltd. ("WCL") submits this Environmental/Historic Report in compliance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. Supporting correspondence and certifications are attached. It is the conclusion of this Report that the proposed abandonment, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

ENVIRONMENTAL REPORT - 49 C.F.R. § 1105.7(e)

1. Proposed Action and Alternatives. WCL seeks to abandon its line of railroad extending from milepost 175.40 to milepost 176.00 in Fond du Lac, Wisconsin (the "Line"). The Line is situated in Fond du Lac County, Wisconsin and extends a total distance of approximately 0.60 miles.

2. The Line has not been required to serve any customer in many years. Previously, WCL had served WSI Larsen, Agrilink and Purina. WCL will continue to serve Purina off an existing rail spur connecting to WCL's Fond du Lac Subdivision.

Following abandonment, WCL intends to salvage rail, ties and track materials from the Line. The railbed and subgrade of the Line will remain in place and not be disturbed. WCL has

received requests from Fond du Lac County and WDNR for acquiring this piece of property as a continuation of a trail that is currently in place.

A map showing the location of the Line is attached herein as **Appendix A**.

3. Transportation System. WCL does not anticipate that existing regional or local transportation systems or patterns will be affected by the proposed abandonment. No rail service is currently provided on that portion of the Line. Thus, no traffic will be diverted to other transportation systems or modes as a result of the proposed abandonment. There is no overhead traffic on the Line, and no passenger trains are operated over the Line

Abandonment of the Line will close two grade crossings, one at Pioneer Avenue and one at Hickory Avenue.

WCL has contacted and requested comments from the State of Wisconsin, Department of Transportation. See correspondence attached herein as **Appendix B**. The DOT has made no comments to date.

The City Council President was contacted and comments were requested. The City of Fond du Lac Community Development Director responded in favor of the proposed abandonment. See correspondence attached herein as **Appendix C**.

4. Land Use.

(i) WCL does not foresee any inconsistency with regional and/or local land use plans, but has contacted and requested comments from the National Geodetic Survey. See correspondence attached herein as **Appendix D**. The NGS responded that there is 1 geodetic marker in this area.

(ii) The proposed abandonment lies entirely within the city limits of Fond du Lac, Wisconsin. The Natural Resources Conservation Service has confirmed that no further action is required. See correspondence attached herein as **Appendix E**.

(iii) This track does not lie within a designated Coastal Zone Management Area and, accordingly, the proposed abandonment will not affect any land or water uses in such an area or result in any coastal impacts. The Wisconsin Coastal Management Program was contacted and comments were requested. To date, no comments have been received. See correspondence attached herein as **Appendix F**.

(iv) WCL has received requests from Fond du Lac County and WDNR for acquiring this piece of property as a continuation of a trail that is currently in place. Under 49 U.S.C. § 10905, WCL will work with the County and WDNR to reach an agreement for this trail continuation.

5. Energy.

(i) The proposed abandonment will not have any effect on the transportation of energy resources. No energy resource commodities move on the Line, and WCL foresees little or no possibility that such on-line traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by this abandonment. No such traffic has been handled on this line for many years (if ever), and WCL foresees little or no possibility that any online recyclable commodity traffic would develop in the future.

(iii) Abandonment will not result in an increase or decrease in overall energy efficiency. There is no freight traffic on this portion of the Line and thus there will be no

changes in existing transportation patterns or energy usage as a result of the proposed abandonment.

(iv) Not applicable. Abandonment of the Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers.

6. Air.

(i) Not applicable. Abandonment will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. Abandonment of the Line will not result in traffic increases which exceed the thresholds specified in 49 C.F.R. §1105.7(e)(5)(ii)(A), (B) or (C).

(iii) Not applicable. There is no traffic on the proposed abandonment, thus no shipments of ozone-depleting materials will be diverted as a result of this abandonment.

7. Noise. Not applicable. As indicated above, none of the thresholds identified in 49 C.F.R. § 1105.7(e)(5)(i) will be exceeded as a result of the abandonment.

8. Safety.

(i) The proposed action will have no adverse effect upon public health or safety. During any salvage operations on the track, precautions will be taken to ensure public safety.

(ii) Not applicable. To WCL's knowledge, no hazardous commodities were ever handled on this Line. Accordingly, the proposed abandonment will have no effect on the transportation of hazardous materials.

(iii) To the best of WCL's knowledge, there are no known hazardous waste sites or any hazardous waste materials involved. Therefore, WCL believes that its abandonment will not have any adverse impact on this site.

9. Biological Resources.

(i) WCL does not believe that any endangered or threatened species are present in the area or would be adversely affected. Salvage operations will be handled within the right-of-way using existing access routes. The Wisconsin Department of Natural Resources has been contacted and comments were requested. To date, no response has been received. See correspondence attached as **Appendix G**.

WCL sent further correspondence to The U.S. Fish and Wildlife Service. The Service has indicated that no federally listed species are present in this area and the proposed abandonment will not adversely affect any endangered species that are possibly within this area. See correspondence attached as **Appendix H**.

(ii) The Line does not pass through or adjacent to any wildlife sanctuaries or refuges or any national or state parks or forests and, accordingly, none will be adversely affected. WCL has contacted and requested comments from the National Park Service. See correspondence attached herein as **Appendix I**. There has been no response to date

10. Water. Any water quality effects of the proposed abandonment should be minimal. The Line does not pass over any waterways. WCL does not intend to alter the contour of the roadbed underlying this line in connection with the proposed abandonment. WCL likewise does not anticipate discharge of any materials into navigable waters that would require permits under Sections 402 and 404 of the Clean Water Act.

(i) WCL has contacted the US Environmental Protection Agency to determine whether the proposed abandonment is consistent with applicable federal, state and local water and air quality standards. See correspondence attached herein as **Appendix J**. The USEPA forwarded our correspondence to the Region 5 offices. There has been no additional response to date.

(ii) WCL also requested comments from the Army Corps of Engineers. See correspondence attached herein as **Appendix K**. There have been no comments to date.

(iii) The Wisconsin Department of US Environmental Protection has been contacted and we have requested comments from them. See correspondence attached herein as **Appendix L**. There has been no response to date. WCL believes that no permits under section 402 of the Clean Water Act (33 U.S.C. 1342) will be required for the proposed action.

11. Proposed Mitigation. As no adverse impact is anticipated, WCL does not propose any mitigation activities.

HISTORIC REPORT - 49 C.F.R. § 1105.8(d)

1. Map. A map of the Line is attached hereto as **Appendix A**.
2. Description of Line. WCL seeks to abandon its line of railroad extending from milepost 175.4 to milepost 176 in Fond du Lac, Wisconsin.
3. Photographs. There are no photographs of this line since there are no structures or bridges.
4. Information on Structures. There are no buildings, structures, or bridges within the proposed Line abandonment.

5. History of Operations. The Line has not been required to serve any customer in many years. Previously, WCL had served WSI Larsen, Agrilink and Purina. WCL will continue to serve Purina off an existing rail spur connecting to WCL's Fond du Lac Subdivision.

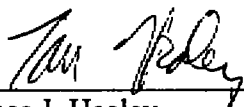
6. Engineering Documents. If such documents exist, WCL will disclose any documents, or drawings that might be useful in preparation for this abandonment.

7. Historic Criteria. There are no structures or bridges located along this portion of the line. WCL believes that no culturally significant locations, archaeological sites or unique landforms will be affected by the abandonment. WCL has contacted and given notice of the proposed abandonment to the Wisconsin Historical Society. See correspondence attached as **Appendix M.** The Office has agreed that no historic properties are affected.

8. Ground Disturbances. WCL is unaware of any possibility that archaeological resources may be in the area. The abandonment activities should have no impact as WCL simply intends on removing the rail and ties and leaving the right-of-way intact for possible trail-conversion purposes. Access to the line is generally good.

Dated: September²₁, 2011

Respectfully submitted,



Thomas J. Healey
Attorney for the Wisconsin Central, Ltd.
17641 South Ashland Avenue
Homewood, IL 60430-1345
Telephone: 708-332-4381
Fax: 708-332-4361





www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

Wisconsin Department of Transportation
Hill Farms State Transportation Building
4802 Sheboygan Avenue
PO Box 7910
Madison, WI 53707-7910

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Sir or Madam:

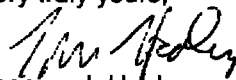
Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
3. 100-year-old flood plains;
4. Endangered or threatened species;
5. Critical habitats;
6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

Mr. Rick Gudex, Council President
City Council Offices
160 S. Macy Street
Fond du Lac, WI 54935

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Mr. Gudex:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



City of Fond du Lac First on the Lake

Website: www.fonddulacwi.gov

City-County Government Center
160 S. Macy Street - P.O. Box 150 - Fond du Lac, WI 54601-0150

July 21, 2011

Attorney Thomas Healey
CN Railroad
17641 S. Ashland Avenue
Homewood, IL 60430-1339

RE: Docket AB-303 (Sub No. 38x)

Dear Tom:

Thank you for your letter of July 13 regarding the proposed abandonment of a small section of railroad in Fond du Lac. The rail in question falls between mileposts 175.4 and 176.0 near Pioneer Road.

The City of Fond du Lac is in favor of the proposed abandonment. We see no potential adverse impacts. This rail does not serve any existing customers and will not in the future. We plan to work with Fond du Lac County and the State of Wisconsin to use part of the abandoned railroad for the extension of a recreation trail, and to facilitate the purchase or use of another section by an adjoining property owner. In both cases, the proposed use would not be possible with the railroad in place.

Thanks again for your cooperation.

Sincerely,

Wayne Rollin, AICP
Community Development Director



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

National Geodetic Survey Information Services
Simon Monroe <Simon.Monroe@noaa.gov>

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Mr. Monroe:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
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7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



Fw: NGS Response, STB Docket AB-303 (SUB NO. 038X)
Tom Healey to: Rebecca Bott

07/19/2011 10:25 AM

Becky:

For the file.

Tom

----- Forwarded by Tom Healey/HEALEY03/IL/CNR/CA on 07/19/2011 10:24 AM -----

From: Simon Monroe <Simon.Monroe@noaa.gov>
 To: tom.healey@cn.ca, Surface Transportation Board <sea@stb.dot.gov>, Surveyorlady@yahoo.com, John.Ellingson@noaa.gov, Gilbert Mitchell <Gilbert.Mitchell@noaa.gov>, Simon Monroe <Simon.Monroe@noaa.gov>
 Date: 07/19/2011 09:51 AM
 Subject: NGS Response, STB Docket AB-303 (SUB NO. 038X)

Thank you for sharing your railroad abandonment environmental report for
 FOND DU LAC, Fond Du Lac County, WISCONSIN.

Approximately 01 geodetic survey marks may be located in the area
 described.

If marks will be disturbed by the abandonment, [THE RAILROAD] shall
 consult with the National Geodetic Survey (NGS) at least 90 days prior to
 beginning salvage activities that will disturb, or destroy any geodetic
 station

marks are described on the attached file. Additional advice is provided
 at

<http://geodesy.noaa.gov/marks/railroads/>

|----|-----| - -|-----|-----|-----|-----|-----|
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www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

Mr. Cory Drummond, District Conservationist
Natural Resources Conservation Service
W6529 Forest Avenue
Fond du Lac, WI 54937-9389

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Mr. Drummond:

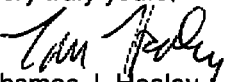
Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
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7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,


Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

July 19, 2011

Mr. Thomas J Healey
Counsel-regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

- Based on the information received, not subject to requirements of the FPPA; no further action required.
- Proposal does not impact any NRCS easements

Thank you for considering the NRCS to provide comment regarding your proposal.
Please call or email if you have questions @ 920-923-3033 ext. 3.

Sincerely,



Cory Drummond
NRCS District Conservationist



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

Wisconsin Coastal Management Program
101 East Wilson Street
Post Office Box 8944
Madison, WI 53708-8944

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
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Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



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Law

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Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

Wisconsin DNR Central Office
101 S. Webster Street
PO Box 7921
Madison, WI 53707-7921

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

1. Water quality;
2. Designated wetlands;
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6. Wildlife sanctuaries or refuges;
7. National or state parks or forests;
8. Coastal zone management;
9. Soil and natural resource conservation;
10. Agricultural land;
11. Regional and/or local use plans; and
12. The need for permits under Sections 402 or 404 of the Clean Water Act.

Because of the nature of the proposed action, we foresee no adverse effects. Nevertheless, we would appreciate your review and any comments you may wish to offer. We would appreciate a written response as soon as possible so that we may include it in the environmental report, which we will file with the STB. We intend on filing the Environmental Report in four weeks.

Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

U.S. Fish and Wildlife Service
2661 Scott Tower Drive
New Franken, WI 54229

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office
2661 Scott Tower Drive
New Franken, Wisconsin 54229-9565
Telephone 920/866-1717
FAX 920/866-1710

August 10, 2011

Mr. Thomas Healey
CN
17641 S. Ashland Avenue
Homewood, Illinois 60430-1339

re: WI Central LTD. Proposed Abandonment
Docket: AB-303 (Sub-No. 38X)
City of Fond du Lac
Fond du Lac County, Wisconsin

Dear Mr. Healey:

The U.S. Fish and Wildlife Service (Service) has received your letter dated July 13, 2011, requesting comments on the subject project. The project involves the abandonment of 0.60 miles of railroad located in the City of Fond du Lac, Fond du Lac County, Wisconsin. We have reviewed the information provided in your letter and our comments follow.

Federally-Listed Species, Proposed and Candidate Species, and Critical Habitat

Due to the project location, no federally-listed, proposed, or candidate species would be expected within the project area. No critical habitat is present. This precludes the need for further action on this project as required by the 1973 Endangered Species Act, as amended. Should additional information on listed or proposed species or their critical habitat become available or if project plans change or if portions of the proposed project were not evaluated, it is recommended that you contact our office for further review.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Ms. Jill Utrup 920-866-1734.

Sincerely,

Catherine J. Carnes
Acting Field Supervisor



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

Michael Reynolds, Regional Director
National Park Service-Midwest Region
601 Riverfront Drive
Omaha, NE 68102-4226

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Mr. Reynolds:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13 2011

U.S. Environmental Protection Agency
Office of Water
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Sir or Madam:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 15 2011

OFFICE OF
WATER

Mr. Thomas J. Healey
Counsel for Wisconsin Central Ltd.
17641 S. Ashland Avenue
Homewood, IL 60430

Dear Mr. Healey:

Thank you for your letter of July 13, 2011, to the U.S. Environmental Protection Agency (EPA) regarding Wisconsin Central Ltd Proposed Abandonment in Fond du Lac County.

We have referred your letter to Mr. Kenneth Westlake of our Region 5 office in Chicago, IL. The EPA Region 5 has responsibility for actions in the State of Wisconsin. Mr. Westlake's office will respond to your letter. You can contact Mr. Westlake at 312-886-2910 or at westlake.kenneth@epa.gov.

Sincerely,

A handwritten signature in black ink, which appears to read "David Evans", is written over a faint, larger signature that is partially obscured.

David Evans,
Director, Wetlands Division



www.cn.ca

Law

Thomas J. Healey
Counsel - Regulatory
17641 S. Ashland Avenue
Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

U.S. Army Corp of Engineers
St. Paul District
180 5th St. East, Suite 700
St. Paul, MN 55101-1678

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Sir or Madam:

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Homewood, IL 60430-1339

T - 708-332-4381
F - 708-332-4361
tom.healey@cn.ca

July 13, 2011

Ms. LaDawn Whitehead
US EPA Region 5
77 W. Jackson Blvd.
Chicago, IL 60604

Re: Wisconsin Central Ltd. Proposed Abandonment in Fond du Lac County,
Fond du Lac Wisconsin, Docket: AB-303 (Sub-No. 38X)

Dear Ms. Whitehead:

Wisconsin Central Ltd. ("WCL") is planning to file a proposed abandonment with the Surface Transportation Board ("STB") for approval to abandon approximately 0.60 miles of railroad line starting at MP 175.4 and ending at MP 176.0 in Fond du Lac County, Fond du Lac, Wisconsin. For your convenience, we have attached a map for your reference. WCL is advising you of the proposed action so you may assist us in identifying any potential effects of the proposed action on, among other things, the following:

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Thank you for your assistance.

Very truly yours,

Thomas J. Healey
Counsel for Wisconsin Central Ltd.

Encl.

REQUEST FOR SHPO COMMENT AND CONSULTATION ON A FEDERAL UNDERTAKING

Submit one copy with each undertaking for which our comment is requested. Please print or type.
Return to:

Wisconsin Historical Society, Division of Historic Preservation, Office of Preservation Planning, 816 State Street, Madison, WI 53706

Please Check All Boxes and Include All of the Following Information, as Applicable.

RECEIVED

I. GENERAL INFORMATION

JUL 18 2011

☒ This is a new submittal.

☐ This is supplemental information relating to Case #: _____, and title: _____

DIV HIST PRES

☐ This project is being undertaken pursuant to the terms and conditions of a programmatic or other interagency agreement. The title of the agreement is _____

a. Federal Agency Jurisdiction (Agency providing funds, assistance, license, permit): Surface Transportation Board, 395 E Street, SW, Washington, DC 20423.

b. Federal Agency Contact Person: Cynthia Brown, Chief Section of Administration Phone: 202-245-0245

c. Project Contact Person: Thomas Healey; Phone: 708-332-4381

d. Return Address: Wisconsin Central Ltd., c/o CN, 17641 S. Ashland Ave., Homewood, Illinois 60430.

e. Email Address: tom.healey@cn.ca

f. Project Name: Wisconsin Central, Ltd. Proposed Abandonment in Fond du Lac County, Fond du Lac, WI, AB-303 (Sub-No. 38X).

g. Project Street Address: N/A - Rail Line Abandonment - Fond du Lac County, Fond du Lac, Wisconsin.

h. County: Fond du Lac City: Fond du Lac, Zip Code: 54936

i. Project Location: Township _____, Range _____, E/W (circle one), Section _____, Quarter Sections _____

j. Project Narrative Description — Wisconsin Central, Ltd. ("WCL") plans to file a Notice of Exemption for an abandonment with the STB for approval to abandon 0.60 miles of railroad line starting at milepost 175.4 and ending at milepost 176.0. After the STB's final decision, WCL intends to salvage rail, ties and track materials from the line.

k. Area of Potential Effect (APE). Attach Copy of U.S.G.S. 7.5 Minute Topographic Quadrangle showing APE. — See Attached Exhibit A

RECEIVED

JUL 18 2011

DIV HIST PRES

II. IDENTIFICATION OF HISTORIC PROPERTIES

- ☐ Historic Properties are located within the project APE per 36 CFR 800.4. Attach supporting materials.
- X Historic Properties are not located within the project APE per 36 CFR 800.4. Attach supporting materials.

There are no buildings, structures, or bridges located along this portion of the rail line.
Therefore, no historic properties will be affected with this abandonment.

III. FINDINGS

- X No historic properties will be affected (i.e., none is present or there are historic properties present but the project will have no effect upon them). Attach necessary documentation, as described at 36 CFR 800.11.
- ☐ The proposed undertaking will have no adverse effect on one or more historic properties located within the project APE under 36 CFR 800.5. Attach necessary documentation, as described at 36 CFR 800.11.
- ☐ The proposed undertaking will result in an adverse effect to one or more historic properties and the applicant, or other federally authorized representative, will consult with the SHPO and other consulting parties to resolve the adverse effect per 36 CFR 800.6. Attach supporting documentation as described at 36 CFR 800.11 with a proposed plan to resolve adverse effect(s).

Authorized Signature: Tom Healey Date: 7/13/11

Type or print name: Tom Healey

11-0758/FO

pg 2/2

IV. STATE HISTORIC PRESERVATION OFFICE COMMENTS

- ☒ Agree with the finding in section III above.
- ☐ Object to the finding for reasons indicated in attached letter.
- ☐ Cannot review until information is sent as follows: _____

Authorized Signature: Deann Balz Date: 8/4/11

HP-05-07 (8/15/03)